

JUL 21 2006

ATTORNEY DOCKET: PD-03W012  
PATENTREMARKS

Claims 56 - 83 are presently pending. Claims 56 - 58, and 60 - 82 were finally rejected under 35 U.S.C. §102(b) as being anticipated by *Cake et al.* ('121) hereinafter *Cake*. Claim 59 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Cake* in view of *Cheng* ('428). Claim 83 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Cake* in view of *Watson* ('322).

By this Amendment, Applicant has made minor corrections to place the Application in better form for allowance or appeal.

For the reasons set forth more fully below, the subject application is deemed to properly present claims patentable over the prior art. Reconsideration, allowance and passage to issue are respectfully requested.

Specifically, as set forth more fully below, the Examiner's response to Applicant's arguments missed the point and was therefore nonresponsive. Accordingly, for the reasons set forth below, the rejection and the finality thereof are improper and should be withdrawn.

In Applicant's previous Amendment (Amendment B, filed May 17, 2006), Applicant noted that:

"... *Cake* clearly does not show an arrangement in which the switch is coupled to the filter so that the switch is effective to switch signals from the filter in response to signals from the comparator as presently claimed." (Emphasis added.)

This was the key argument advanced by Applicant in the previous Amendment. However, in the Examiner's response to Applicant's argument, the Examiner failed to address this argument. Instead, the Examiner's response focused on the issue as to whether or not *Cake* discloses a loop filter. While Applicant maintains the assertion that *Cake* fails to disclose a loop filter, the primary argument advanced against the rejection was the failure of *Cake* to teach, disclose or suggest an arrangement in which the switch is coupled to the filter so that the switch is effective to switch signals from the filter in response to signals from the comparator. Inasmuch as the Examiner has not considered

- 9 -

C:\...\_03W012\_AMENDMENT C.doc

Serial No.: 10761,790

**ATTORNEY DOCKET: PD-03W012**  
***PATENT***

this argument, Applicant respectfully submits that the final rejection is improper and should be withdrawn.

Accordingly, reconsideration, allowance and passage to issue are respectfully requested.

- 10 -

C:\...\_03W012\_AMENDMENT C.doc

Serial No.: 10/761,790

**JUL 21 2006**

**ATTORNEY DOCKET: PD-03W012**

***PATENT***

**CONCLUSION**

The outstanding objections and rejections have been addressed, and the application is in condition for allowance. Such favorable reconsideration is solicited.

The Director is hereby authorized to charge the required fee(s), if any, or credit any overpayment to Deposit Account Number 50-0616.

Respectfully submitted,  
Albert E. COSAND

Date: July 21, 2006

By: Leonard A. Alkov  
Leonard A. Alkov, Esq.  
Registration No.: 30,021

LAA/cc

**RAYTHEON COMPANY  
E0/E4/N119  
Intellectual Property & Licensing Dept.  
P.O. Box 902  
El Segundo, California 90245-0902  
Tel.: (310) 647-2577  
Fax: (310) 647-2616**

- 11 -

C:\A\_03W012\_AMENDMENT C.doc

Serial No.: 10/761,790